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ABSTRACT

Over the past two decades women and minorities have made unprecedented strides into the work force, yet discrimination due to gender and race is still a problem. The dearth of women in management is due to the "glass ceiling" phenomenon--the organizational, attitudinal, and societal barriers that effectively keep women and minorities from advancing up the career ladder. In the last 10 years, there has been only a slight increase in the representation of minorities and women in top executive positions in the nation's largest 1000 companies. The glass ceiling also exists in the world of academia. Although the number of female professors in the U.S. has increased since the early 1970s, their proportion of the total faculty has remained relatively constant. Barriers also limit women's advancement in the public sector. Few women serve in Congress, although the situation is somewhat better in state government. The Civil Rights Act of 1991 and the Equal Remedies Act were designed to overcome some of the glass ceiling problems. Enforcement remains inadequate, as the lack of sanctions issued under the Office of Federal Contract Compliance Programs' Glass Ceiling Initiative demonstrates. Women can no longer ignore workplace discrimination. They must strive for even handed opportunities and recognition for everyone. (LBG)

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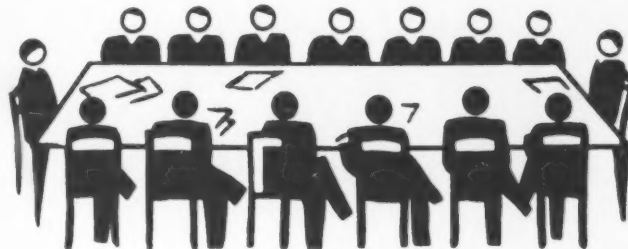
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YOU CAN'T GET THERE FROM HERE:



WORKING WOMEN AND THE GLASS CEILING

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THE BUSINESS AND PROFESSIONAL WOMEN'S FOUNDATION
provides information, education and research programs designed
to help improve the economic status of working women.

Established in 1956 by the members of Business and Professional Women/USA (BPW/USA), the BPW
Foundation is a nonprofit public grantmaking organization governed by a
volunteer Board of Trustees comprised of BPW leaders and public representatives.

April 1992

Horatio Alger success stories delighted millions of readers earlier in the century. Alger wrote novels which were the literary embodiment of the American dream. The central character was always a poor ragtag child who is able — by dint of hard work, a plucky character and a little canny luck — to go from street urchin to business magnate. This character was consistently a young boy, never a young girl. Change Ragged Dick to Ragged Jane, and chances are the plot would have unwound quite differently. Ragged Jane might have worked for a while, but success for her would have been measured by marrying a successful businessman, not by becoming a successful businesswoman. Today, fortunately, women's (and men's) stories are more varied; however, women are still far more likely to be married to the chairman of the board than actually to be the chairman of the board.

Over the past two decades, women and minorities have made unprecedented strides into the work force. Yet, discrimination due to gender and race is still a problem. According to the Department of Labor, "minorities and women have not made significant gains into middle and senior levels of management, notwithstanding their increased experience, credentials, overall qualifications and greater attachment to the work force." More than twenty-five years after Title VII was passed prohibiting sex discrimination in the workplace, women are still conspicuously absent in the ranks of top management. Although women comprise 40 percent of all executive, management, and administrative positions, they remain employed in the middle and lower ranks of corporate America. And, the few women who are middle or senior managers are more likely to be concentrated in occupations which are predominantly female. At the current rate of increase, it will be 475 years, or until the year 2466, before women are as equally represented at the top of the career ladder as they are at the bottom (Fund for the Feminist Majority).

This dearth of women in middle and senior level management positions is due to the "glass ceiling" phenomenon, i.e. the *organizational, attitudinal and societal* barriers that effectively keep women and minorities from advancing up the career ladder. Unlike sexual harassment, job segregation and pay

inequities — obvious examples of sex discrimination — the glass ceiling is a more subtle form of workplace discrimination. Women are no longer prohibited or usually even publicly discouraged from entering certain occupations; however, in most cases, they are kept out of the pipeline for middle and top level management positions. In fact, according to a recently published Department of Labor report, the glass ceiling exists at much lower levels of management than previously thought. Additionally, the glass ceiling is not confined only to the corporate world. The glass ceiling also exists in academia, government and politics.

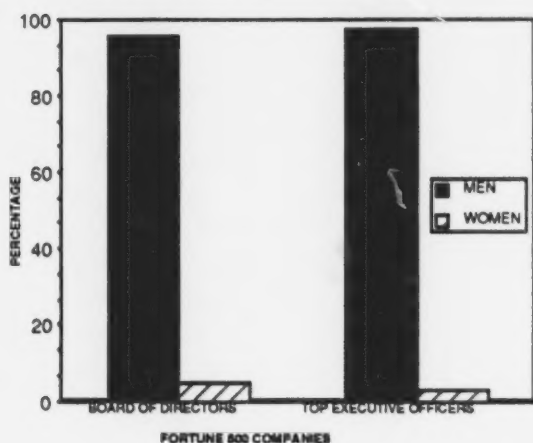
Twenty years ago, the glass ceiling was an unknown term. As women and minorities have increased their numbers in the labor market, the existence of barriers to their advancement have been recognized. Yet, this phenomenon is still often viewed as a personal problem experienced by *one* woman or *one* minority rather than a universal problem experienced by women as a group and minorities as a group. With the ever increasing numbers of women and minorities in the work force, shattering the glass ceiling is imperative — unless companies are willing to forego the talents of the majority of their workers.

By the year 2000, two out of three new entrants to the labor force will be women. By the year 2000, almost a third of all new entrants into the labor force will be minorities, who will double their current share of the labor market. Black women will comprise the largest share of the increase in the non-white labor force. Between 1985 and 2000, white males, who only a generation ago made up the dominant segment of the labor market, will comprise only 15 percent of the net additions to the work force. These changes in the composition of the work force will profoundly alter the available pool of workers. American businesses will face a dramatically different labor force than the one they have long been accustomed to and, in order to remain competitive, the standard operating procedures of businesses may have to alter just as dramatically. More and more, the competitive edge will go to businesses that are able to attract and, perhaps more importantly, retain good employees.

THE CORPORATE WORLD

During the last 10 years, there has been only a slight increase in the representation of minorities and women in the top executive positions of the nation's largest 1,000 companies (UCLA Anderson Graduate School of Management and Korn/Ferry International Study, 1990). Minorities and women now hold less than 5 percent of these managerial positions, up from less than 3 percent in 1979. Of the top Fortune 500 companies, women comprise a mere 2.6 percent of corporate officers.

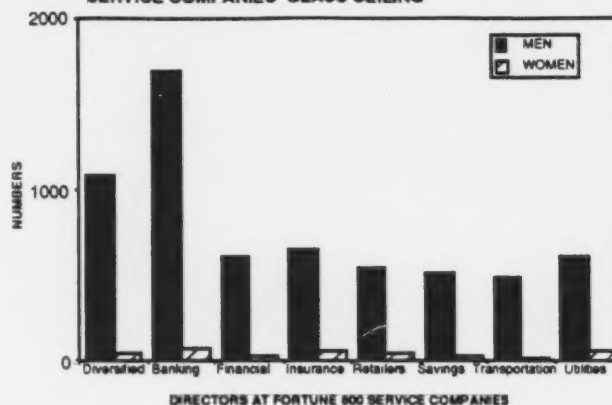
FIGURE 1
THE CORPORATE GLASS CEILING



The glass ceiling exists at different levels in different companies or industries. The promotional plateau for women in large companies, however, is often found just short of the "general manager" position. Even in smaller or more progressive companies, though, it is rare to find women at the general management level. Statistics also reveal that minorities and women are less likely to obtain positions in line functions — such as sales and production — which most directly effect the corporation's bottom line and are considered the fast track to the executive suite. Instead women and minorities are more likely to be placed in staff functions.

Of the Fortune Service 500* industries, women comprise 61 percent of all employees, but only 4.3 percent are corporate officers. Representation of women is not much better on corporate boards.

FIGURE 2
SERVICE COMPANIES' GLASS CEILING



Only 4.5 percent of the Fortune 500 directorships are held by women. Of Fortune Service 500 companies, 5.6 percent of corporate directors are women. And, although a 1988 Korn/Ferry survey reported that 52.8 percent of major U.S. corporations had women board members, up from 42.9 percent in 1986, only 25 percent of the Fortune 1000 companies in 1986 had more than one woman on their board. In fact, according to the Feminist Majority Foundation, there is such tremendous overlap among women sitting on corporate boards that just 39 directors account for 33 percent of the 652 Fortune 1000 directorships held by woman.

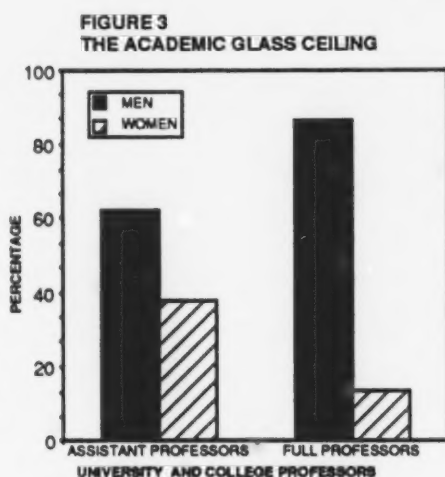
ACADEMIA

The glass ceiling also exists in the world of academia. Women and minorities remain clustered in the ranks of the non-tenured, according to the American Association of University Professors. Furthermore, although women are now receiving the majority of degrees awarded, the situation of professional women in academia is not improving. Recent reports examining the status of women on college campuses are drawing the same conclusions reached in similar reports prepared 20 years ago, according to the Chronicle of Higher Education. Female professors,

**The Fortune 500 represents the largest industrial corporations. The Fortune Service 500 is a separate listing including only the service industries such as retailing, banking, insurance and finance.*

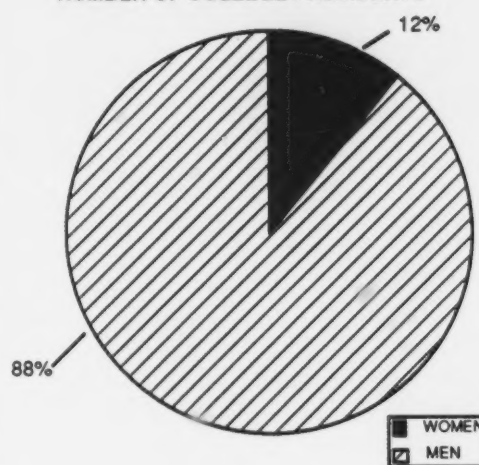
staff members and administrators in academia face a hostile work environment. This poor working climate is attributable to persistent and widespread gender discrimination. Female faculty and staff members are paid less than male colleagues at similar levels, they are more likely to hold lower-level positions, and they also receive fewer job promotions. "We haven't seen enough change," says Patricia B. Kilpatrick, vice president and university marshal at Case Western Reserve, "There aren't enough women in the higher professional ranks or the upper administrative levels."

Although the number of female professors in the country has increased since the early 1970s, their proportion of the total faculty has remained relatively constant. The largest increase occurred at the assistant professor level, where women's representation increased from 24 percent in 1972 to just over 38 percent in 1989. Still, in 1989, only 13.6 percent of full professors were women.



The number of female college presidents also increased, more than doubling in the last 15 years. Only 360 educational institutions, out of the nation's 3,323 regionally accredited colleges and universities, are headed by a woman president. Female presidents are also often found only at less prestigious institutions. Women head up only three members of the Association of American Universities, an organization of 56 selective research universities. No Ivy League institution has ever had a female president.

**FIGURE 4
NUMBER OF COLLEGE PRESIDENTS**



Furthermore, in 1990, 30 women — out of 300 openings — were appointed college presidents, for a total of 10 percent.

Marian Gade, co-author of several books on the college presidency, sums up the situation well, "When over half of the undergraduates are women, and when by the year 2000 over half of the Ph.Ds awarded will go to women, to find only 12 percent in the top post says to me something is seriously wrong."

Anecdotal evidence of the glass ceiling in academia bears this out. Consider Rose*, who was denied a full professorship at a Kansas college because her published work — on domestic violence and assault — was not scholarly enough. Or the case of Ceil Pillsbury, an assistant professor of accounting at the University of Wisconsin-Milwaukee, who was denied tenure, even though she had published seven articles and been honored as "faculty member of the year" by the business school's advisory council. Ms. Pillsbury related the following to Judy Mann, a columnist for the Washington Post, "I never thought it was a systemic problem. At first, I didn't think there was any way it could be discrimination. As I talked to other women in the business school, it was clear to me what had happened all along. Women were just

*First names are used in cases in which the person does not wish to reveal her or his identity.

not in a position to succeed. There was a revolving door." Ms. Pillsbury sued and is currently teaching at the University of Wisconsin's Green Bay campus.

GOVERNMENT AND POLITICS

The glass ceiling impedes women's career advancement not only in the private sector, but also in the public sector. In both elected and appointed positions, women are not equally represented. The glass ceiling in government and politics limits the participation of women at the highest levels of the policy-making process. The majority of women in government, especially if they are women of color, still face barriers that restrict their opportunities to advance beyond the lowest level jobs.

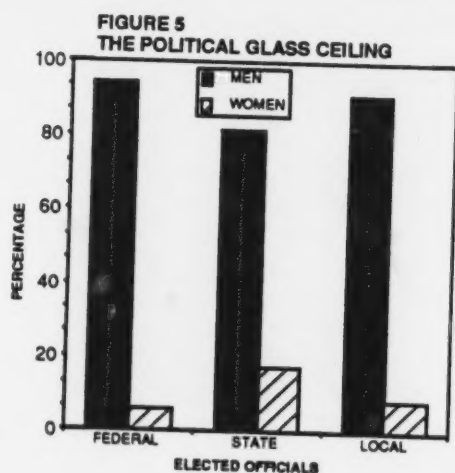
Out of 435 possible seats in the House of Representatives, women currently hold only 29, just 6.4 percent. Women's representation in the Senate is even worse, at 2 percent. There are no women among the elected leadership positions, such as Speaker of the House or Majority and Minority leaders, within the U.S. Congress. Similarly, there are no women chairs of standing Congressional committees.

At the state level, the numbers show some improvement. The percentage of women in statewide elected office is 17.5, significantly higher than the 5.8 percent overall federal figure. There are currently 58 women throughout the United States who serve in statewide elective offices. Women are also better represented in

state legislatures, holding 18.2 percent of those seats. Arizona has the highest percentage, with women holding one-third of all seats in the state legislature. Locally, the numbers of women elected, specifically to county boards, have tripled in the past 15 years, and women now hold 8.9 percent of those positions. Additionally, in 1991, women served as mayor of 19 of the 100 largest American cities, and four of the top 10 cities have women mayors. Women are also under-represented in top political appointments. Women hold fewer than one-third of the top managerial jobs in state and local government. In 1991, 113 women and 458 men served in 36 state cabinets, according to the National Women's Political Caucus.

Women represent 19.8 percent of governors' appointments, a percentage that is down slightly from the previous two years. At the county level, women are 18.6 percent of the chief appointed administrative officers, and 31.8 percent of other top appointed officials, according to a 1990 nationwide survey by the International City Management Association.

Women held only 31.3 percent of high-level state and local government jobs nationwide in 1990, while women in lower-level jobs accounted for 43.5 percent of the work force, according to a survey by the Center for Women in Government. In municipalities, which include towns and villages as well as cities, women were 12.5 percent of chief appointed administrative officers and 26.2 percent of other key appointments in 1990.



BARRIERS TO ADVANCEMENT

Organizational, attitudinal and societal barriers impede women's and minorities' career advancement. "Qualified minorities and women are all too often on the outside looking into the executive suite," according to the Department of Labor's Glass Ceiling Initiative. 79 percent of Fortune 500 chief executive officers conceded that there are identifiable organizational and attitudinal barriers that prohibit women from reaching the top, according to a 1990 survey by Catalyst, a research consortium concerned with working women's issues. Interestingly, the barriers identified by Catalyst are quite similar to those identified by the Department of Labor.

Women in Senior Public Posts

Percentage of high-level jobs in state and local government, such as department heads, division chiefs, deputies and examiners, that were held by women in each state in 1990, according to a survey by the Center for Women in Government.

State	%	State	%	State	%
AL	33.2	LA	38.5	OH	37.6
AK	30.2	ME	23.9	OK	34.1
AZ	25.2	MD	26.1	OR	29.5
AR	33.5	MA	32.3	PA	24.3
CA	35.6	MI	26.2	RI	21.4
CO	27.4	MN	27.1	SC	31.8
CT	29.6	MS	34.4	SD	29.0
DE	31.4	MO	29.3	TN	31.8
FL	32.3	MT	27.9	TX	29.3
GA	32.8	NE	23.6	UT	17.7
HI	13.9	NV	28.8	VT	22.8
ID	27.1	NH	36.4	VA	29.9
IL	28.7	NJ	27.3	WA	27.6
IN	35.7	NM	31.1	WV	36.3
IA	31.4	NY	35.6	WI	25.7
KS	30.1	NC	33.4	WY	31.3
KY	30.3	ND	27.5		

Recruitment practices, developmental practices and credentials-building experiences, and accountability for equal employment opportunity responsibilities have all been identified as organizational barriers contributing to the glass ceiling. According to the Department of Labor, as well as other research on the glass ceiling, recruitment practices for middle and senior level positions often involve reliance on word-of-mouth and employee referral networking and the use of executive search and referral firms in which affirmative action/equal employment opportunity requirements are not made known. This practice usually produces slates of candidates which are overwhelmingly male and white. Developmental practices and credentials-building experiences, including advanced education, as well as career-enhancing assignments such as to corporate committees and task forces and special projects — which are traditional precursors to advancement — are often not as available to minorities and women. Furthermore, accountability for equal employment opportunity responsibilities does not extend to senior level executives and corporate decision makers. Monitoring for equal access and opportunity, especially as managers move up the corporate ladder to senior management levels, is almost never considered

a corporate responsibility or part of the planning for developmental programs and policies.

Male and female career patterns do differ. After the initial hire, career paths run parallel for men and women for several years. After this point, however, men are promoted more quickly and more often. Even when female middle managers do all the right things — exactly the same as their male counterparts — they still lag behind in salary progression and in job transfers essential to their careers, according to "All the Right Stuff: A Comparison of Male and Female Managers' Career Progression," a study of 1,000 female and male managers at 20 top U.S. companies. Female managers with the same amount of education and similar professional and personal experiences are simply not being afforded the same opportunities as their male colleagues.

For example, consider Mary Ellen, a civil engineering technician from Washington state. Twenty years ago, Mary Ellen probably would not have been able to find employment as a civil engineer. In today's workplace, though, she was able to find a job in her field; however, her career is stalled. To advance to higher levels in her occupation requires field work experience. Unlike her male colleagues — men who started at the same level — Mary Ellen has yet to be assigned to go out and work with higher level, experienced inspectors. Mary Ellen knows she will not be promoted without this experience, and, in fact, her male colleagues with field work experience are currently being promoted all around her.

Job segregation also plays a part in the glass ceiling. The majority of female executives are concentrated in female dominated industries, such as health care and education. Additionally, women executives in both female and male dominated industries are guided into certain types of management positions — mostly staff and support — that offer few openings for getting to the top. According to a 1986 Wall Street Journal survey, "The highest ranking women in most industries are in non-operating areas such as personnel, public relations, or, occasionally, finance specialties that seldom lead to the most powerful top management posts."

The "old boys" network also contributes to the glass ceiling. The vast majority of corporate officers are

white men. Research has revealed that people at the top usually select for promotions those who resemble themselves. Since mentoring and sponsorship by higher level executives are two of the most important avenues to advancement, and since there are so few women and minorities at the top, these opportunities are less available to women and minorities. Even when male bosses are willing to serve as mentors to female subordinates, their advice is sometimes less than useful. Consider Sherrie, a young, well-educated and ambitious engineer with a major defense contractor. Sherrie's boss met with her to discuss her career. During the meeting, he suggested that she should wear dresses like the other women — all secretaries — rather than suits. Sherrie does not believe that he was hassling her, but also feels that this was not the kind of career development advice she was seeking — and undoubtedly her boss was not telling his male employees to wear Armani suits and "have their colors done." Without a mentor to give her valuable career advice, Sherrie will certainly face more obstacles as she tries to move up the career ladder.

Another aspect of the "old boys" network is the exclusion of female executives from social activities, such as drinking after work and sports activities — functions which often serve as informal business meetings — as well as informal business meetings held outside the office. Consider Robyn, a manager in a Pennsylvania construction firm. As a woman in a male dominated industry, Robyn had already had to prove herself time and again. She thought she had done so when she was named a member of the management team. Yet, as the only woman on the management team, Robyn faced a number of new obstacles to overcome. For instance, the managers — all male — had an established practice of going to a motel for a few days to brainstorm ideas. The company's treasurer explained the practice to Robyn, but then he went on to suggest that "it wouldn't be such a good idea (now) since you are a woman." His attitude was held by others in the company. In fact, it wasn't long before the "guys in management team" went off to brainstorm — without her. Exclusion in the decision making process eventually resulted in her being squeezed out of her manager position.

More than 80 percent of the executive women respondents in a Gallup survey said they believe there are disadvantages to being a woman in the business world.

Cliches about why women work also contribute to the stalling of women's careers. One predominant myth is that women are more prone to leave their jobs because they can't handle the dual responsibilities of a job and family. However, "Don't Blame the Baby," a study by Wick and Company that researched why women and men managers change jobs, found that the majority of women quit their jobs to pursue a job with greater career satisfaction, not due to family pressures. Additionally, only 3 percent of women surveyed in a 1986 Wall Street Journal study cited family responsibilities as hindrances to their careers while over half cited reasons related to their gender, including the simple fact of being a woman. More than 80 percent of the executive women respondents in a Gallup

survey said they believe there are disadvantages to being a woman in the business world.

In part because of these attitudes, women are still being discriminated against simply because of their gender. Consider Carol's story. She was an account executive in an Indiana sales company undergoing a reorganization. During the reorganization, all positions were evaluated and it was determined that the job she currently performed warranted a better title and salary. Carol should have received a promotion for the job she was already performing. Instead, a male was hired for the "new" higher level position. He was less qualified and had less experience than Carol.

Julie's story is even more distressing. A senior account executive for a national company in Utah, Julie was responsible for corporate accounts. Her newly hired manager was outspoken about his intent to get rid of some of his mostly female staff to make way for some men. He openly discussed his belief that women were not capable of handling corporate accounts because they did not understand business or sports. In addition, he made it clear that he did not permit his employees to start families. It was too late for Julie — she was already pregnant. It wasn't long before Julie's position was demoted again and

again, her secretary was reassigned, she lost her office, and her main accounts were taken away from her. Her boss verbally threatened her job, her career, and the physical well-being and safety of her child. After unsuccessfully trying to handle the problems within the company, she filed a sex discrimination case hoping that this behavior would change. He responded by revoking her pre-approved parental leave, forcing her to return early to her hostile work environment. Unable to handle the harassment, she quit soon afterward. Although capable, responsible, and professional, how could Julie ever hope for a promotion in a company that employed managers with such a Neanderthal view of women?

Outright discrimination does play a major role in preventing women's rise to the top. In a study funded in part by the BPW Foundation, Anne Harlan and Carol Weiss of the Wellesley College Center for Research on Women found that as the number of female managers in a workplace rises, resistance to them falls, until the percentage of women nears 15 percent. Then discrimination, including outright harassment, begins to rise again. In other words, as women's status changes from "token" to competitor, resistance to their success increases.

Differing perceptions of acceptable male and female behavior also block women's career advancement. Though researchers have found that men and women do not differ substantially in management style and competence, the old stereotypes persist. As a result, the same behavior is perceived differently in men than in women. For example, behavior considered assertive in a male is usually seen as aggressive in a female. This means that "managerial" behavior, because it is based on a "male" model, is often seen as inappropriate for women. This perception does seem to be at odds with reality, given a Russell Reynolds Associates study which reports that significantly more women executives display leadership potential than their male counterparts. Regardless, women remain concentrated in staff management positions which stress "people" skills over line management positions and more and more articles have appeared touting "women's" vs. "men's" management styles.

Real people are harmed by the glass ceiling. Real women are excluded from management positions not because of their capabilities but because of their gender. Mary Ellen, Sherrie, Carol, Robyn and Julie were all dedicated, enthusiastic and competent employees, willing to put in the extra time and effort to succeed and advance in their careers. However, all of them encountered — and suffered from — the glass ceiling.

ADDRESSING THE PROBLEM

The Civil Rights Act of 1991, which was signed into law in November 1991, and the introduction in Congress of the Equal Remedies Act represent essential steps toward shattering the glass ceiling. By providing compensatory and punitive damages for victims of sex discrimination, the Civil Rights Act and the Equal Remedies Act create more effective

economic incentives for companies to eliminate discriminatory practices, including the organizational practices and attitudinal views which have limited women's careers. The Department of Labor's voluntary Glass Ceiling Initiative is also an important first

step in eradicating these barriers to women's and minorities' advancement.

Strengthening existing laws against discrimination will be a futile exercise, however, if such laws are not enforced more effectively. The Office of Federal Contract Compliance Programs (OFCCP) is responsible for implementing Executive Order 11246, which prohibits discrimination by federal contractors and requires contractors to take affirmative steps to ensure equal opportunity. Yet, although under the EO 11246, the Department of Labor has the authority to sue contractors for debarment (which is the process by which the OFCCP excludes companies which do not meet EO 11246 guidelines from securing future government contracts) and other remedies, the Department of Labor's Glass Ceiling Initiative focuses solely on voluntary measures. As a result, even though the Department of Labor found discriminatory behaviors at all companies studied in the Glass Ceiling Initiative, not one has been cited.

The Equal Employment Opportunities Commission (EEOC), the agency responsible for enforcing Title VII, which prohibits workplace discrimination on the basis of gender or race, has also ignored its mandate to provide non-discriminatory workplaces by failing to protect workers from discriminatory behavior and also failing to provide remedies to workers who have been discriminated against. Furthermore, the Department of Justice, which is authorized to enforce Title VII against state and local governments and to bring suit against federal contractors, has neglected to develop a litigation strategy for enforcing civil rights laws.

Instead of scaling back their enforcement efforts, as they have done over the past decade, the OFCCP, the EEOC and the Department of Justice must step up their efforts to eradicate discriminatory practices in the workplace, including shattering the glass ceiling.

The Civil Rights Act of 1991 also established a commission to examine the glass ceiling and to recommend policies to promote opportunities for the advancement of women and minorities in the workplace. Although this commission will not have any enforcement mechanisms, it is a promising sign that the "glass ceiling" is being perceived as a societal, rather than an individual, issue.

Notwithstanding the current attention being given to the issue, sex discrimination in the workplace continues to be a serious business problem. Yet, a 1983 survey of 800 business leaders by Sirota and Alpen Associates found that out of 25 human resource priorities, affirmative action for women and minorities ranked twenty-third. Additionally, according to a study by researcher John P. Fernandez, white men consistently ranked problems encountered by women executives as insignificant compared to how women ranked them. The Department of Labor's Glass Ceiling Initiative and the establishment of the Glass Ceiling Commission should encourage the business community to address the issues of workplace discrimination, and especially the glass ceiling, with more seriousness.

We cannot expect the longstanding organization and attitudinal barriers to fall without pressure, however. Women who are being discriminated against must vigorously pursue all available options. Insist that your company have equitable recruitment and promotional practices. Insist that all training and educational opportunities be available to all appropriate employees, regardless of their gender or race.

On a more personal level, become familiar with EEOC guidelines regarding workplace discrimination. If you are affected by a discriminatory environment, discuss the situation with your supervisor and personnel officer. If changes aren't made, and you still believe that workplace discrimination is occurring, contact the EEOC.

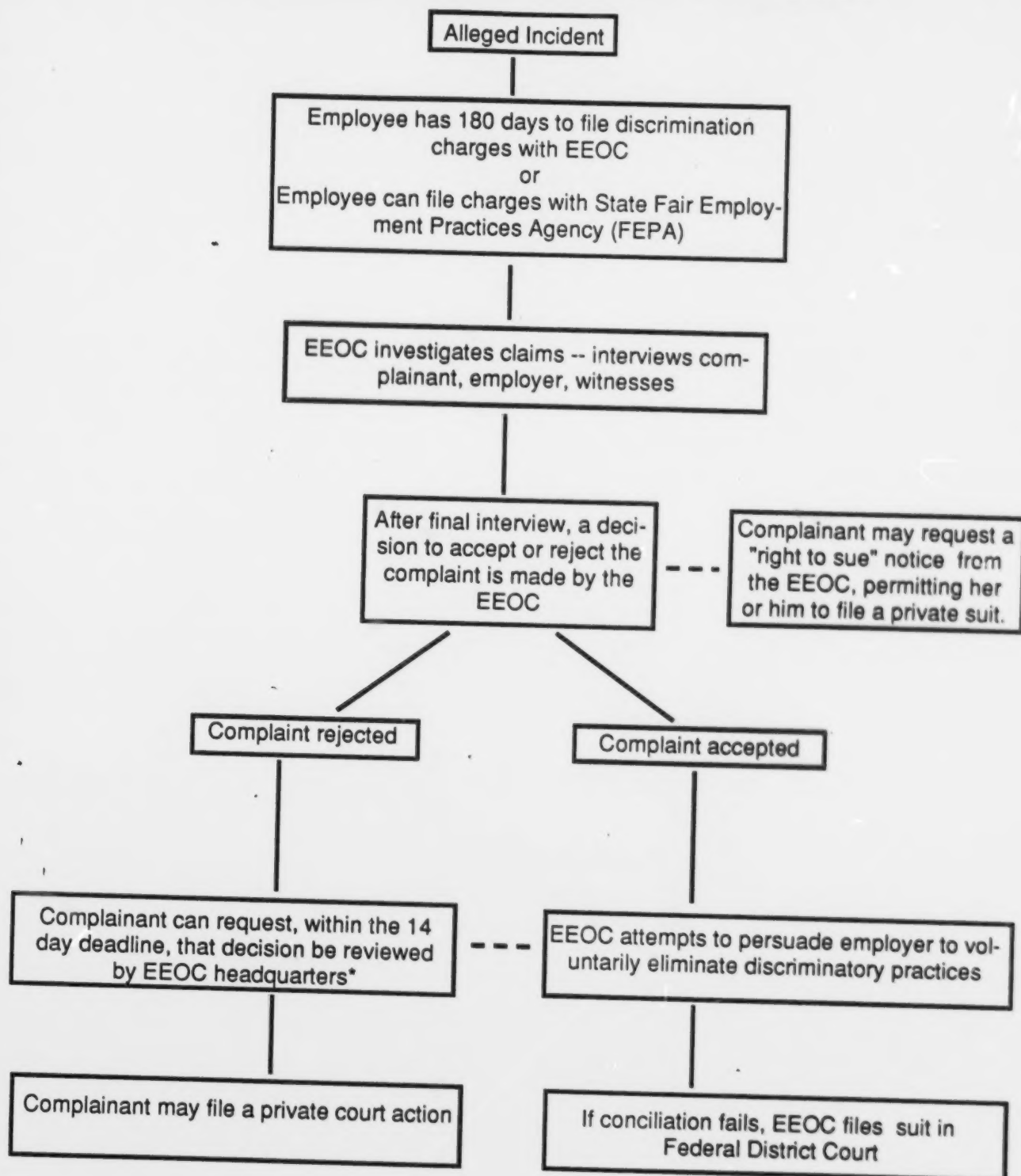
FILING A DISCRIMINATION CHARGE WITH THE EEOC

Headquartered in Washington, D.C., the EEOC has 50 regional offices where employees may file discrimination charges. A charge may be filed in person, or by phone or by mail, but must be filed within 180 days of the discriminatory act. This limit may be extended to 240 to 300 days where there is a state or local Fair Employment Practices Agency (FEPA). Victims who work in the private sector may file with a FEPA, if the FEPA office is closer than the nearest EEOC office. However, federal employees must seek counsel with the Equal Employment Office (EEO) within their agency. According to a public affairs specialist at EEOC headquarters, all federal agencies throughout the country have at least one EEO counselor within the agency. Additionally, federal employees must seek counsel within 30 days of the discriminatory act(s), rather than the 180-day limit for private employees. The EEOC will assist the person filing the claim and their employer in finding a reasonable solution to discrimination charges at any time during the investigation stage.

Once a person or party files a charge, the investigation process begins. The person pursuing a discrimination claim is first interviewed by the EEOC to obtain all information about the alleged discrimination. If all legal jurisdictional requirements are met, a charge is then drafted by the EEOC and the all procedures are explained to the victim. (The legal jurisdictional requirements vary depending on the specific regulations of the act and title in question.)

The next step is notification of the employer about the charge. As part of the investigatory process, the EEOC then requests information from the employer about the issues directly affecting the victim as well as other potentially aggrieved persons. Witnesses such as other employees and management personnel may also be interviewed.

FILING A DISCRIMINATION CHARGE WITH THE EEOC



*EEOC Headquarters may then accept the complaint.

If, after the investigation is completed, the EEOC concludes that there is no reasonable cause to believe discrimination occurred, they will notify the person filing the claim and the employer and the case will be closed. However, if the person pursuing the claim disagrees with the EEOC decision, he or she may request, in writing within 14 days, that the decision be reviewed by EEOC headquarters. At any time during the investigative procedure, the victim may also retain a private lawyer and file a private court action. Before filing a private case, though, the complainant must first request a "right to sue" notice from the EEOC. Once the EEOC or the FEPA has filed suit in court, however, the person filing the claim loses the right to file privately.

If the investigation shows there is reasonable cause to believe discrimination occurred, the EEOC will pursue the case. Filing charges and notifying the employer does not necessarily indicate the EEOC is about to take the next step, though. However, if 180 days pass after the victim files a charge and the EEOC has taken no steps to reconcile the matter, the victim, under Title VII, may request a right-to-sue notice. The person would then have 90 days to file a private court suit.

The first step the EEOC takes, once it has determined discrimination occurred, is to attempt to persuade the employer to voluntarily eliminate the discriminatory behavior or practices. This may include reinstatement of the victim to the job she or he lost due to discrimination; restoration of lost pay and benefits; posting of a notice in the workplace by the employer to advise employees that it has complied with orders to remedy the discrimination; and requirements that the employer cease the discriminatory practice(s) and take action to ensure that similar violations will not recur.

The final step in the investigation procedure occurs if the employer does not voluntarily implement the above steps. EEOC will then file a lawsuit in federal district court on behalf of the victim or the victim may initiate private civil action on their own in lieu of EEOC litigation.

CONCLUSION

Discrimination against women in the workplace is bad business. Businesses cannot afford to continue to under-utilize half of their available work force. Seven out of 10 women age 25 to 54 are currently in the labor force. Women currently comprise almost half of the entire work force. Discrimination, whether intentional or unintentional, prevents women and minorities from truly benefitting from their training and efforts and from fully contributing their abilities and knowledge to the productivity of our country. As women become more essential to a productive work force, businesses will be able to ignore their concerns only at their own peril.

Although the industrial revolution has given way to the information age and the standard corporate man has been replaced by women and men of all types, the American dream has remained a constant. The possibility for everyone to go as far as their abilities and efforts will take them is integral to the American psyche. Yet, the axiom "work hard and you will succeed" shouldn't only be true for certain segments of our population.

Women in the work force are here to stay. To allow gender or race to define occupational rewards disheartens millions of American workers. Workplace discrimination hampers not only the lives of real women and men but also hinders society as a whole.

We can no longer afford to ignore the very real costs of discrimination. We must strive for even-handed opportunities and recognition in the workplace for everyone. It's time for all Americans to share in the American dream and experience equity, economic self-sufficiency and full participation in the workplace.